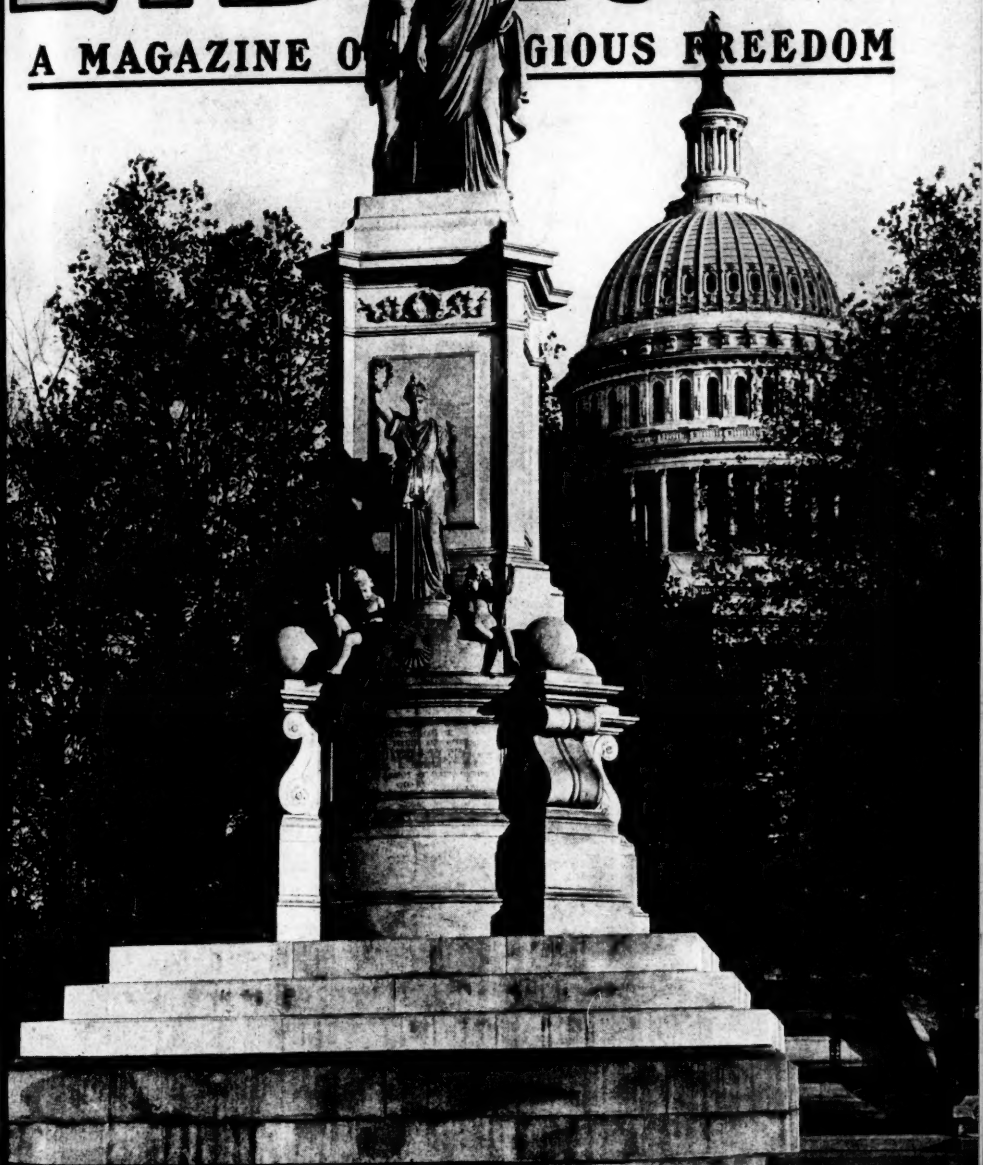


# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



ISSUED MONTHLY QUARTERLY

# Religious Liberty Association

## DECLARATION OF PRINCIPLES

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

For further information regarding the principles of this association, address the Religious Liberty Association, Takoma Park, Washington, D. C. (secretary, C. S. Longacre), or any of the affiliated organizations given below:—

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# LIBERTY

## A MAGAZINE OF RELIGIOUS FREEDOM

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TAKOMA PARK, WASHINGTON, D. C.

### Contents

Peace Monument and Dome of the Capitol .....	Front Cover
The Home of James Madison, the Father of the Constitution .....	Frontispiece
Permanent Peace Desirable, but Impossible .....	35
An Honest Confession .....	38
"The Voice of Peace" .....	39
Should Sunday be a Holy Day or a Holiday? .....	40
Memorial of the Pacific Religious Liberty Association to the Legislature of California ..	44
Oregon Legislature Refuses to Enact Sunday Laws After the People Repudiate Them ..	47
Is This True? .....	49
A Supreme Court Justice in North Dakota Declares Sunday Laws "an Outrage" and "Ridiculous" .....	50
A Confession of Weakness .....	52
Asking the State to Enforce a Church Creed .....	53
Sunday Laws and the Police Powers .....	54
Compulsory Sunday Rest Begets Immorality .....	56
For the Defense of "Good Morals" .....	57
What Constitutes a Union of Church and State .....	58
Iowa Legislature "Refuses to Make Blue Laws Bluer" .....	59
Press Censorship .....	60
Sunday "Movies" .....	61
The New British Premier, a Baptist .....	63
Blue Laws .....	63
Church Seeks Control of Press .....	64
The Sabbath .....	64
Flood of Sunday Bills .....	64
Peace .....	Inside of Back Cover
History Repeating Itself (cartoon) .....	Back Cover

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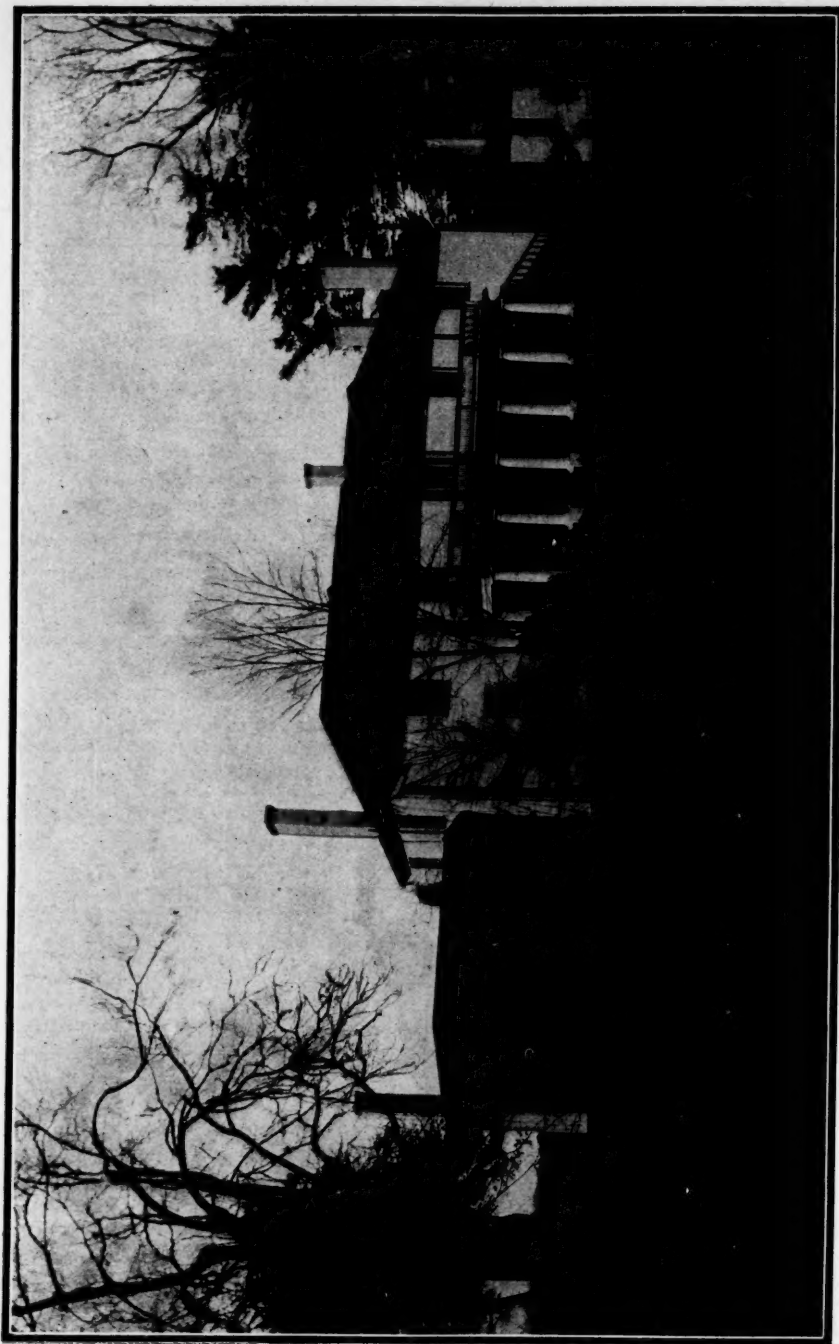
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THE HOME OF JAMES MADISON, THE FATHER OF THE CONSTITUTION



# LIBERTY

"Proclaim liberty throughout all the land unto all the inhabitants thereof." *Lev. 25 : 10.*

VOL. XII

SECOND QUARTER, 1917

No. 2

## Permanent Peace Desirable, but Impossible

BY THE EDITOR

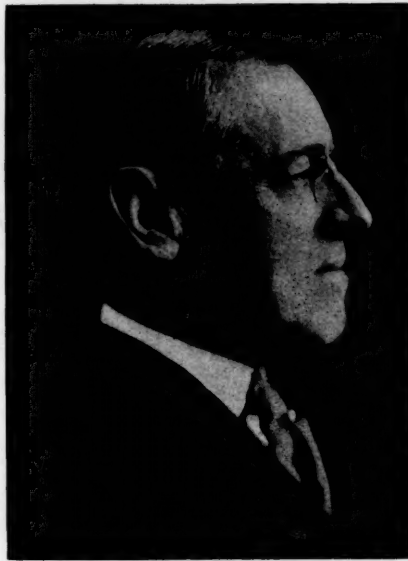
NEVER before have the inhabitants of this world longed, talked, and prayed for peace as they do now. President Wilson's recent effort to induce the warring nations to consider terms of accommodation, was certainly very laudable. That all nations are sincere in their desire for permanent peace is unquestioned. The present bloody struggle, which has brought untold sorrow and misery to nearly every home in Europe, is sufficient to cause the stoutest hearts to quail, and to long for a cessation of the fearful contest. Almost any arrangement or compact which promises to separate the struggling giants and keep them apart, would be welcomed. Many are hoping that this greatest of all wars, with its unsurpassed toll of destruction of life

and property, will teach the world a lasting lesson, so that men will resolve never again to resort to war. If such could

be the result, the present sacrifice might be justified. But dare we hope that such will be the case? For the sake of suffering humanity, we wish that men by their own wisdom and by their own efforts could usher in universal and permanent peace for this troubled world; but human laws and human devisings and human saviors have always failed, and are doomed to fail as long as men are selfish and unregenerate.

All nations are chasing a veritable

will-o-the-wisp in their efforts to establish just and perpetual peace among themselves. Their intentions are most commendable, but the ideal is not at-



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**PRESIDENT WILSON, A FRIEND OF PEACE**  
Inaugurated for the second term, March 5, 1917

tainable under present conditions. Human schemes and devisings, based on selfish motives and dependent upon depraved human nature, are always bound to miscarry and result in bitter contentions, the last court of appeal of which is brute force.

Human nature is everywhere the same, and ever will be, until regenerated by the grace of God. This fact is not, however, taken into account in the adjustment of national and international affairs. Lasting peace is utterly impossible among covetous and rival nations, each of which has laws that, in its political, commercial, and social relations with the other nations, are antagonistic to their welfare. Self-aggrandizement and mutual jealousy have been and ever will be the fixed law of nations as long as ninety-five per cent of their inhabitants are strangers to the regenerating power of the grace of God. We can never expect lasting peace on earth while men are living in sin. Any prophet who says that lasting peace can be established on any such basis is a false prophet and is holding forth a false hope. Divine revelation shows that there will be trouble and wars and desolations among carnal men and nations until, in their stead, the God of heaven shall set up a kingdom which shall never be destroyed.

#### Echoes of Peace

Nearly all the neutral nations of Europe and South America sent formal replies to President Wilson's note of Dec. 18, 1916, expressing willingness to co-operate with the United States in a movement which might "insure a lasting and permanent peace among the nations for the future."

The Swiss Federal Council, under date of Dec. 23, 1916, was the first neutral nation to send a response to President Wilson's plea for peace. The concluding paragraph in this note expresses the hope of reaching a lasting peace:—

"The Swiss Federal Council is therefore glad to seize the opportunity to support the efforts of the President of the United States. It would consider itself happy if it could act

in any, no matter how modest a way, for the *rapprochement* of the peoples now engaged in the struggles, and for reaching a lasting peace."

#### The Scandinavian Note

Norway, Sweden, and Denmark, the three Scandinavian nations, answered by an identical note, which was handed to Secretary Lansing on Dec. 29, 1916. A paragraph from the Norwegian version, as delivered by Minister Bryn, is here given as representative of all three nations:—

"It is with the liveliest interest that the Norwegian government has learned of the proposals which the President of the United States has just made with the purpose of facilitating measures looking toward the establishment of a durable peace."

#### Lloyd-George's Guildhall Address

Premier Lloyd-George delivered a very important address at the Guildhall, London, on Jan. 11, 1917, in which he touched largely upon the German peace proposals to the Entente. During his speech, he made the following significant statements concerning the permanent establishment of peace in Europe after the present war is concluded:—

"Before we attempt to rebuild the Temple of Peace, we must see now that the foundations are solid. They were built before upon the shifting sands of Prussian faith; henceforth, when the time for rebuilding comes, it must be on the rock of vindicated justice. . . . The peace and the security for peace will be that the nations will band themselves together to punish the first peacebreaker who comes out. As to the armies of Europe, every weapon will be a sword of justice in the government of men; every arm will be a constabulary of peace. There were men who had hoped to see this achieved in the way of peace. We were disappointed. It was ordained that you should not reach that golden era except along the path which was paved with gold—yea, and cemented with valiant blood. . . . We all want peace; but when we get it, it must be a real peace."

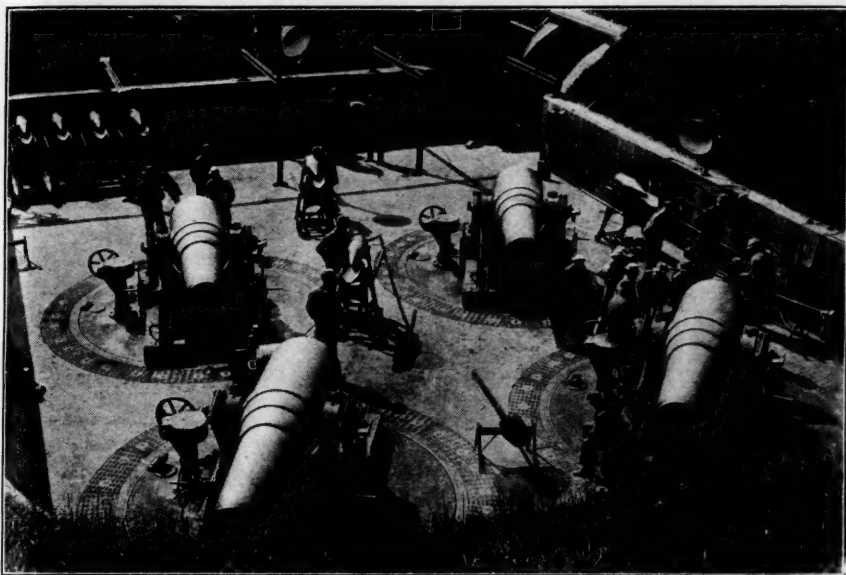
#### "We Were Disappointed"

Suppose the whole world should unite and form one universal league of peace, and then a vital issue should arise and cause this league to split into two great camps; viz., the kings of the East against

the kings of the West, the Orient against the Occident, or the republics against the kingdoms, then it would not mean simply a war of one continent, terrible as that is, but it would mean a world war. It might even mean a war in which the contestants were about equally matched, and which would bring about the long-

him that sitteth on the throne, and from the wrath of the Lamb: for the great day of his wrath is come." Rev. 6: 15-17.

Of course, we know that a certain school of science has no faith in divine revelation, and consequently relegates a coming judgment day and a special act



TESTING TWELVE-INCH MORTARS AT FT. TOTTEN, NEW YORK HARBOR

Preparation for war is believed by many to be essential to the preservation of peace. This picture is a general view of Pit B, with its battery of four guns, each firing a projectile weighing seven hundred pounds. There is a projectile on a movable carrier ready for each gun, and four more on carriages ranged along the wall, ready to wheel up instantly to the gun. The target was six miles out in Long Island Sound, but the range of the guns is much greater than this. It has been claimed that at a sufficiently high angle they can throw a projectile a total distance of thirty-one miles, with an extreme height in the trajectory of seven miles.

predicted battle of Armageddon of the Apocalypse. At the conclusion of this battle there will be no statesmen left to say, "We had hoped to establish peace in this way. We were disappointed."

#### Pray to the Rocks in Which They Trusted

In that great day "the kings of the earth, and the great men, and the rich men, and the chief captains, and the mighty men, and every bondman, and every freeman, hid themselves in the dens and in the rocks of the mountains; and said to the mountains and rocks, Fall on us, and hide us from the face of

of divine intervention to the realms of fancy and superstition; but we are still of the belief that human events and human experience prove the verities of divine revelation. Man in his natural state is a failure. The human race is not and cannot be its own savior. It cannot solve its own problems except by appeal to brute force. It will always be thus as long as the human heart remains unregenerate and the mind carnal and selfish. Men and nations have always been jealous of one another, and no league of peace or alliance of friendship has stood the test of serious provocation.

### Entangling Alliances Futile

The whole structure of international relations is based on self-interest and commercial rivalry. Permanent peace can never be established on earth through selfish human devisings and confederacies. As long as this world stands, men will resent insults to national honor. The greater the combination, therefore, the greater the dangers and the more appalling the conflicts when the league goes to pieces. George Washington foresaw the danger of such confederacies when he said:—

"The great rule of conduct for us in regard to foreign nations is . . . to have with them as little political connection as possible," and that "a less frequent in-

### An Honest Confession

SOME years ago, in Louisville, Ky., the "powers that be" nominated a member of the Roman Catholic Church for the city school board.

He asked the support of a prominent journalist who was his warm personal friend. The support was refused on the ground of the opposition of the candidate's church to the public school system.

Did the Roman Catholic candidate set up a yell about being persecuted for his religion's sake? He did not. He was a sensible man. He went home and did some thinking for himself. Next day he said to his friend: "I believe you are right. I really have no business on the public school board. Here I am asking



NATIONAL GUARDSMEN MANEUVERING IN VAN COURTLAND PARK, NEW YORK

terruption of peace" would follow if this government steered clear of entering into any entangling "foreign alliances, attachments, and intrigues."

There will be greater occasion for a future world war if a world league to enforce peace is created than present conditions would render possible. The nations that enter into a world confederacy are steering for the rocks. The ancient prophet said: "Say ye not, A confederacy, to all them to whom this people shall say, A confederacy; neither fear ye their fear, nor be afraid." Isa. 8: 12.

the people of Louisville to allow me to run the public schools when I am sending my own child to a parochial school. It is inconsistent; but I never looked at it in that light before."

That is the real solution of the public school question. Those who oppose it have no business helping run the schools. If they think mathematics and the like can be taught better when connected with religion, let them build and pay for their own schools, but not attempt to destroy, by division of funds, public institutions they cannot control.— *Light*.

## "The Voice of Peace"

THE Washington *Post* of February 5, referring to the break of the United States with Germany, made the following significant statement:—

"Should it eventuate that all other neutrals accepted the President's suggestion that they sever diplomatic relations with Germany, the voice for peace would have to come from the Vatican."

But why would it not be just as appropriate to suggest that the voice for peace ought to come from the chief bishop of the Methodists, or from the Lutherans, the Baptists, etc., as from the Catholics, if all were alike innocent of mixing in international politics for political ends? The truth is, that of all denominations, the Catholic is the only one to entertain the idea that the visible head of its church should aspire to political office and to a position of political influence as a civil ruler. The Pope is the only ecclesiastic who claims authority by divine right over the nations.

### Papal Price for Papal Peace

Naturally such a suggestion as that made by the *Post* leads to the inquiry, What will be the papal price of a papal-made peace? Will it mean progress or retrogression? Will it mean comfort and happiness for all concerned, or the Inquisition, the rack, the gibbet, and the fagot for dissenters? If realized, will it

mean the restoration of the temporal power to the Catholic hierarchy? and will it require "the prince," "the legislature," and "the nation as a society," "not only to believe in the Pope, but to be subject to him?" Will it mean a union of church and state with the church supreme, which is now, as it ever has been, a fundamental and world-wide doctrine of Roman Catholicism?



A CANADIAN SOLDIER'S GOOD-BY

### Root Cause of War

In view of the fact that Pope Benedict XV has such pronounced views as to the papal prerogatives, and alleges that the fundamental constitutional principles of government which were instituted as the result of the triumph of the great Reformation, are the "root cause" of the war, and that these constitutional principles must be revolutionized and the church recognized again as the final court of appeal and arbitrator of all nations, we would ask again, What is the price

the nations must pay for a papal-made peace? A much-boasted doctrine of the Church of Rome is *semper eadem* (always the same), and viewed from that standpoint, a papal peace would in the ultimate be a far greater calamity to the nations of the world than even the present bloody cataclysm.

### The Present War Justifiable

The Catholic press and Catholic writers have declared that the present war,



with its terrible toll of destruction, is justified in the Catholic mind, if as a result "the Vicar of Jesus Christ" should be restored again to "his own rightful place." Indeed, the whole Catholic press takes advantage of every opportunity to bring the Pope prominently into world politics, in the hope that his temporal power may be restored as formerly.

The question is, Do the rulers of the world want the old order of things restored, and themselves subjected to an all-powerful religious hierarchy in civil matters? If they do, they will find a willing mediator in the Pope; but just as surely as they do, they will feel the iron heel of the Vatican on their necks, as did some of their predecessors during the Middle Ages.

C. S. L.

\*\*\*

## Should Sunday Be a Holy Day or a Holiday?\*

BY JUDGE CYRUS SIMMONS, OF THE KNOXVILLE, TENN., BAR

THE case of *Krieger et al. v. State* recently decided by the Criminal Court of Appeals of Oklahoma (160 Pacific Reporter, 36), deserves more than a passing notice for its new and important precedent. The court modernized the antiquated expression "servile labor," thereby allowing seventh-day observers to work or sell merchandise on Sunday.

"But it is facetiously argued by some courts that to say to these people they shall keep our Sunday, does not prevent them from also keeping the day they regard as holy time. But these courts overlook the fact that under the divine commandment these people are striving to obey, it is just as imperative that they work six days as it is that they rest on the seventh. And if their conscience compels them to rest one day, and the law forces them also to rest another, they would thus be forced to violate the first provision of the commandment they are attempting conscientiously to keep."

This decision runs counter to the opinion of most other appellate courts in construing the Sunday statutes. By strict construction of Sunday laws in a number of States, good, exemplary, religious, and otherwise law-abiding citizens have been held up to public odium by being fined, imprisoned, and forced to work in the chain gang.

In Tennessee, R. M. King, a Seventh-day Adventist, and a man of irreproachable character, was arrested for work-

ing on Sunday and fined seventy-five dollars and costs. The State Supreme Court affirmed the judgment of the trial court. On habeas corpus the case was taken before the federal court. (46 Federal Reporter, 905.)

Notwithstanding Judge Hammond admitted that the State court erred in declaring the common law, the prisoner was remanded. An appeal was then taken, but before his case could be heard by the United States Supreme Court, King died.

It is urged against Sunday laws that they are religious legislation. Nearly all of them follow more or less closely the statute of 29 Charles II, which is a product of the seventeenth century, an offspring of the union of church and state.

The attempt to reconcile Sunday statutes with the national and State supreme laws, which declare in no uncertain words for religious freedom, is no doubt responsible for the contradictory opinions that have been rendered in defense of Sunday legislation.

Police power—a rod of discipline for the commonwealth—is generally invoked. But this rod cannot be rightfully visited upon the citizen for the violation of a law that is tinctured with religion, because police power is helpless to make constitutional an unconstitutional law, or to dereligionize a church dogma enacted into law.

\* This article is from the February number of the West Publishing Co.'s *Docket*, St. Paul, Minn.

To avoid the religious feature of such statutes and to parry this objection, a number of courts have held that these laws are intended to regulate civil conduct only.

It will be observed, however, that Sunday laws are two-faced. They not only look toward the temporalities of the citizen, but according to the belief of some they visualize the very sanctity of the soul. The divine commandment referred to by the court in the Krieger case says:—

what method of reasoning can the court, so far as this citizen is concerned, hold that such legislation does not impinge upon his conscience and religious rights, that it simply regulates his conduct as a citizen, and not as a religionist? Is not reason just as much the life of precedent as it is of law? How can a position, like the one instanced, do otherwise than violate every principle of logic and disregard every appeal to reason?

Sunday laws make criminal an act when done on Sunday that is praise-



LEADERS OF THE NATIONAL REFORM ASSOCIATION

Who would enforce Christianity by law

"Six days shalt thou labor. . . . But the seventh day is the Sabbath of the Lord thy God; in it thou shalt not do any work." Ex. 20:9, 10.

If to the citizen who believes in the integrity of this command the State, by an incriminating law, should say, "Sunday, the first day of the week, is the Sabbath," and enjoin cessation from labor; and if to the same citizen, who, as a matter of religion, believes in the ten commandments, the Bible says that "Saturday, the seventh day, is the Sabbath," and prohibits him from working on that day, and commands him to work the other six days, including Sunday, by

worthy when done on any other day. Do not such laws therefore accomplish indirectly what the state would not dare to do directly? Do they not in a cryptic way compel the observance of a church institution, thus forming a union of church and state, or laying the foundation for such a union? Are they not therefore unconstitutional?

Sunday laws are defended by some on the ground of public health and morals. They claim physical necessity for a regularly recurring weekly rest day. The open violation and the nonuser of the statutes by so many who make this claim, falsify their position.

The implied idiosyncrasy of our citizenry is beyond comprehension. On Sundays they are so eager to work that the State, in order to preserve the public health, has to pass a law compelling them to cease from labor, while on the other six days they become so indolent and shiftless that it is forced to pass a penalized vagrancy statute. Chief Justice Terry, of California, in *ex parte* Newman, remarks:—

"This argument is founded on the assumption that men are in the habit of working too much, and thereby entailing evil upon society, and that, without compulsion, they will not seek the necessary repose which their exhausted natures demand. This is to us a new theory, and is contradicted by the history of the past and the observation of the present. We have yet to learn that there has ever been any general complaint of an intemperate, vicious, unhealthy, or morbid industry."

Do we not see through this transparency more of an ecclesiastical polity than a good health policy?

The religion of the majority is always in the ascendant, and is dominative. In the Krieger case an eminent jurist was quoted to show that—

"Some particular day must be fixed; the one most naturally selected is that which is regarded as sacred by the greatest number of citizens."

But should Sunday, or any other day, be selected by the State as a Sabbath because it "is regarded as sacred by the greatest number of citizens"?

The religion of the majority is invariably advantaged by the indorsement of public opinion, and demands favors at the hands of the legislature by the passage of laws in furtherance of its particular tenets, or from the courts in the way of judicial construction. James Madison, in his "Writings," Vol. I, p. 424, states:—

"Wherever the real power in a government lies, there is the danger of oppression. In our government the real power lies in the majority of the community, and the invasion of private rights is chiefly to be apprehended."

As to the effect of public opinion for or against religion, Thomas Jefferson, in

"Travels by Noah," addressing a Jew, says:—

"But more remains to be done; for, although we are free by law, we are not so in practice; public opinion erects itself into an inquisition, and exercises its office with as much fanaticism as fans the flames of an *auto de fé*."

Lord Macaulay, in his "Essay on Sir James Mackintosh," introduces the following to show the fallacy of the argument of the majority when religion is involved:—

"The doctrine which, from the very first origin of religious dissensions, has been held by all bigots of all sects, when condensed into a few words, and stripped of rhetorical disguise, is simply this: I am in the right, and you are in the wrong. When you are the stronger, you ought to tolerate me; for it is your duty to tolerate truth. But when I am the stronger, I shall persecute you; for it is my duty to persecute error."

We have in our country a majority of Sunday believers, and a very small minority, comparatively speaking, of Jews, Seventh-day Adventists, and Seventh Day Baptists, who keep Saturday, the seventh day, for the Sabbath. But the religious differences as to the identical day to be kept for the Sabbath are irreconcilable.

In some places Sunday laws are openly transgressed, and have virtually become obsolete from nonuse, till they are aroused from their dusty sleep by one class of religionists who prosecute and persecute the other class, manifesting a spirit of intolerance that shows human nature to be changed very little from what it was before the Reformation. It was Roger Williams who exclaimed, "What a monstrous paradox! God's children persecuting God's children!"

The gulf between Sundayism and Sabbatarianism can never be bridged. The differences are antipodal, as the following facts are sufficient to show:—

The first-day believers have long been memorializing Congress for a national Sunday law. The Sabbatarians have as long been opposing such legislation as being contrary to the spirit and genius of our government.

Some liberal-minded people believe it would be a national calamity for Congress to yield to the demands of the churches in this matter. In the language of that great statesman, Col. Richard M. Johnson, they ask, Is "the conscience of the minority less sacred than the conscience of the majority"?

Some of the first-day believers contend that the seventh-day Sabbath is done away with under the gospel dispensation; that Sunday should be compulsorily and religiously observed in commemoration of the resurrection; and that Sunday breaking will bring on the offender the frown of Heaven, the wrath of God.

Believers in the seventh-day Sabbath contend that the law of God has never been changed; that Christ is not only our Saviour, but was the Creator; that he made the Sabbath during creation week, and kept it when on earth; that there is no authority in the Bible for keeping Sunday, the first day of the week, for the Sabbath; that Sunday is a man-made sabbath in opposition to God's Sabbath; that those who keep the seventh-day Sabbath should, in obedience to the law of God and the example of Christ, work on the other six days, including Sunday, or they will be subject to the judgments of God, and be visited with the outpouring of his unmixed wrath.\*

Those who hold to this latter position claim to be so wedded to their Sabbatic faith that they would suffer martyrdom rather than violate it.

Can we think of two cases involving religious dissension that present less hope for an accommodation? They reveal the possibilities of Sunday legislation.

If Sunday laws are necessary, then it is right to go to the limit in their enforcement. If it is right to impose a fine for Sunday breaking, then it is right

to imprison. If it is right to imprison, then it is right, as in colonial days, to visit the death penalty on the offender. The statement of the case is sufficient.

Do we not see that Sunday laws, though lamblike in appearance, speak with the voice of a dragon, and have in



JOHN CALVIN

Whose mistaken sense of duty made him a persecutor

them all the objectionable elements that made the Inquisition possible, and have given to it its revolting and bloody perspective?

Why should we allow such a law to exist? Why not follow the example of California, and have a one-day-in-seven law, and eliminate religion from the law of the land, so that all classes of religionists may sabbatize on the day of their faith, and be free to work the rest of the week?

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THE Sixty-fourth Congress adjourned *sine die*, March 4, without enacting any Sunday legislation. It is stated, however, that with the opening of the Sixty-fifth Congress a new Sunday-law campaign is to be inaugurated by the women, with Mrs. W. F. Crafts as leader. Remember that "eternal vigilance is the price of liberty."

\* Judge Simmons's statement on this point should not be misunderstood. The position of the Adventists, as briefly defined on our last page three months ago, is not that the divine law arbitrarily requires that work be regularly done upon each of the six working days, but that the fourth commandment sets up a sharp and clear distinction between the seventh day and the six other days, including the first day, or Sunday; and that to habitually refrain from secular affairs upon that day, seemingly treating it much as the Sabbath should be observed, is to disregard the divine commandment and to commit sin. EDITOR.

## Memorial of the Pacific Religious Liberty Association to the Legislature of California

WE take pleasure in presenting to our readers a memorial which has very recently been sent to the California Legislature now in session. It explains how religious organizations are trying, through sinister methods, to override the wishes of the people, and force their religious views upon others by statutory legislation. After the people of California have twice repudiated Sunday laws by tremendous majorities at the polls, still the "religious reformers" defy the voice of the people. It is because of these persistent efforts on the part of certain religious organizations to turn the State back to medieval times, that "eternal vigilance" must still be to its citizens "the price of liberty."

*"To Members of the Forty-Second California State Legislature."*

"HONORED SIRS: Your attention is hereby called to a measure pending before you, and your consideration solicited in a brief examination of its provisions.

"This is Senate Bill No. 69, and Assembly Bill No. 172, which are identical and known as the 'Sunday Rest' measure.

### "History of California Sunday Laws

"The people of California have had the question of a legal Sunday rest before them more or less prominently since the year 1858, when a law was passed, entitled 'An Act to provide for the better observance of the Sabbath.' The penalty for its violation was a fine of fifty dollars, or in default thereof, imprisonment not to exceed one day for each two dollars' fine and costs.

"The same year a Jewish clothier of Sacramento by the name of Newman was arrested for keeping open his store on Sunday. He refused to pay the fine of fifty dollars and was imprisoned, upon which the supreme court was petitioned for a writ of habeas corpus, and Newman was discharged from imprisonment, on the ground of the law being unconstitutional.

### "Supreme Court Decisions

"The supreme justice, in rendering decision in the Newman case, based it on the first and fourth sections of the State constitution, with which you gentlemen are supposedly familiar.

But speaking directly to the case in hand, Justice Terry said:—

"The question presented in this case is not merely one of expediency or abuse of power. It is a question of *usurpation of power*. If the legislature have the authority to appoint a time of compulsory rest, we would have no right to interfere with it, even if they required a cessation from toil for six days in the week, instead of one. If they possess this power, it is without limit, and may extend to the prohibition of all occupations at all times."

"In conjunction with Justice Terry's expressed opinion Justice Burnett added this:—

"The act violates as much the religious freedom of the Christian as of the Jew. Because the conscientious views of the Christian compel him to keep Sunday as Sabbath, he has the right to object when the legislature invades his freedom of religious worship, and assumes the power to compel him to do that which he has the right to omit if he pleases. The principle is the same, whether the act of the legislature *compels* us to do that which we wish to do or not to do."

### "A Strange Anomaly

"In 1895 a Barbers' Sunday law was enacted in California, and under it one Leo Jentsch was indicted, and on a writ of habeas corpus his case was carried to the supreme court. Justice Henshaw, in the course of his judicial reasoning upon the statute, said:—

"It is not easy to see where or how this law protects labor from the unjust exactions of capital. A man's constitutional liberty means more than his personal freedom. It means, with many other rights, his right freely to labor, and to own the fruits of his own toil. *It is a curious law for the protection of labor which punishes the laborer for working.* Yet that is precisely what this law does. The laboring barber engaged in a most respectable, useful, and cleanly pursuit, is singled out from the thousands of his fellows in employment, and told that, *willy-nilly*, he shall not work upon holidays and Sundays after twelve o'clock noon. His wishes, tastes, or necessities are not consulted. *If he labors, he is a criminal.* Such protection to labor carried a little further would send him from the jail to the poorhouse.

"How comes it that the legislative eye was so keen to discern the needs of the oppressed barber, and yet was blind to his toiling brethren in other vocations? Steam-car and street-car operatives labor through long and weary Sunday hours; so do the mill and factory



hands. There is no Sunday period of rest and no protection for the overworked employees of our daily papers. Do these need no rest or protection? The bare suggestion of these considerations shows the injustice and inequality of such laws.'

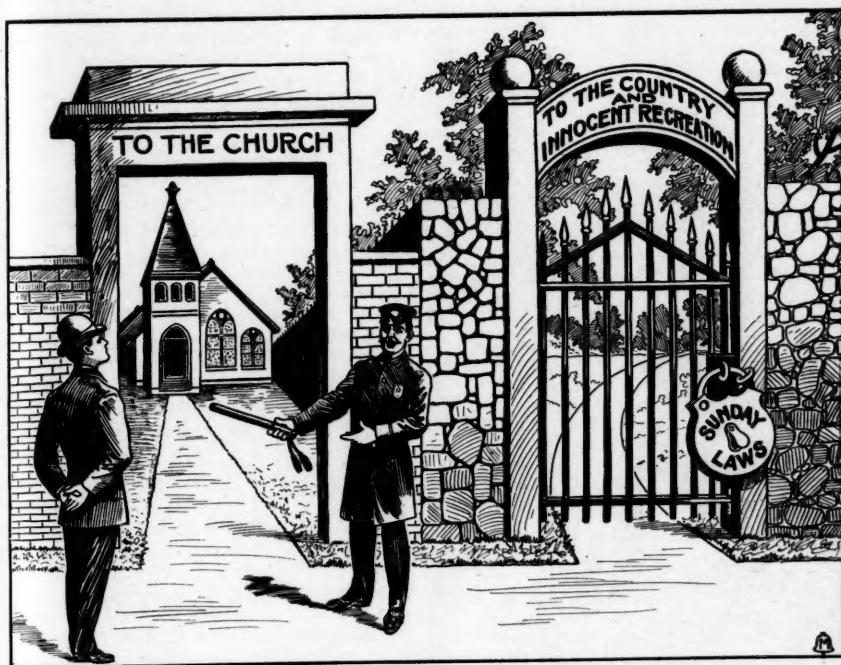
"In conclusion the justice quoted the following opinion from Judge Cooley:—

"Every one has a right to demand that he be governed by *general* rules, and a *special* statute that singles his case out as one to be regulated by a *different* law from that which

brought on the complaint of one who, after having become indebted to the merchant, became angry when called on to settle his account. Any Sunday law thus becomes an open call for just such malicious cases to arise, and therefore every door of the kind should be closed against these possibilities.

#### "Voice of the People

"The 1858 law [of California] became inoperative, but was not repealed until 1883. It came about in this way: In the political con-



THE TRUE DESIGN OF SUNDAY LAWS

is applied to all similar cases would not be *legitimate* legislation, but an arbitrary mandate unrecognized by the law.'

"The decision was next rendered, in which the full bench concurred: '*The prisoner is discharged.*'

"Yet another more recent case has been brought to public notice. A Mr. Krieger, of Hitchcock, Okla., was arrested for keeping open his place of business on Sunday. The Blaine County court decided the case against him, though he had regularly shut his place of business on Saturday. The judgment of the lower court was reviewed by the State supreme court, and reversed. Judge Brett rendered the opinion, in which the entire bench concurred. This was a notable suit because of having been

ventions held in the autumn of 1882, the Republicans of California adopted in their platform a plank favoring Sunday laws. The Democrats, however, went to the polls with a determined voice to abolish all legal Sunday restrictions, and for the first time in its history, California elected a Democratic governor and controlling legislature by a majority of 17,517, which was a distinct voice of the people against Sunday laws.

"From that time on successive attempts have been made by a certain element for the revival of enforced Sunday rest. So far was this carried that in the year 1914 the initiative was invoked in its behalf. Great surprise was manifested, however, when the returns showed the decisive majority against the Sunday-law

proposition of 168,211. With such a recent and sweeping decision on that side of the question, to enact now a Sunday law in the name of the 'people of the State of California,' would be to fly in the very face of the voters who rolled up so great a majority against it only two years ago.

"The people voted wisely on that initiative call; for there can be nothing uncivil in the act of plowing, or sowing grain, or gathering and caring for fruit, or even in the sale of goods over a counter. People in all walks of life, and of every religious creed, engage in such callings. Being accounted perfectly civil on the so-called working days, the question arises as to what can possibly make these acts uncivil when done on Sunday. Painfully enough it is *not the act performed* which constitutes it a misdemeanor, but *the day on which the act is done*. Then on what ground has the

Oregon elections of 1916, to decide whether the people of that State desired a Sunday law to remain on their statute books. The act had been thoroughly tested for some years, and also had the backing of the church constituency, but the election returns of November 7 revealed a majority of 32,163 against the continuance of that statute. Thus the citizens of that fair State were left free to choose, each for himself, whether he would wear the badge of religion or not, as conscience might direct.

#### "The Question of Constitutionality

"Article 1, Section 21, of the constitution of California, provides that 'no special privileges or immunities shall ever be granted which may not be altered, revoked, or repealed by the legislature, nor shall any citizen, or class of citizens, be granted privileges or immunities, which upon the same terms shall not be granted to all citizens.'

"An examination of the bill under consideration reveals its intention to grant privileges and immunities to some citizens and classes of citizens which are denied to others. For example, it provides that mills, factories, bake-houses, barber shops, and all workshops *which operate for profit, shall close business on Sunday*. Yet certain businesses *which do operate for profit, but are called daily necessities*, are exempted from the penalty provided in the bill. Among these are *theaters and saloons*. With no attempt to pass judgment on the morality of these callings, one may candidly ask as to what proportion of the citizens of California have these become 'daily necessities.'

"Ice-cream parlors may be kept open, and freely dispense their dainties for cash, but should a grocery open to sell a loaf of bread to a hungry man, which is really a daily necessity, according to the proposed law, some one must pay a fine of at least ten dollars, or be imprisoned in the county jail for thirty days or less. This cannot possibly be made to appear as equitable legislation. It is granting to some citizens privileges and immunities not granted to others on the same terms, and thus the bill is made irreconcilable with the constitution, which every legislator is sworn to uphold in his legislative duties.

#### "A Religious Discrimination

"Upon examination of the religious exemption, there appears a very strange proviso. The penalty provided in the bill makes it incumbent on the persons exempted therefrom for religious reasons to be *members of a religious society* which observes some other day than Sunday as its day of worship. It is not enough that one religiously observes some other day than Sunday, but he must be a *member of some religious society which observes the same day*.



**PERSECUTION FOR CONSCIENCE' SAKE**  
Daniel praying in the lions' den.

state a right to determine the measure of a civil delinquency by the day on which it occurred?—On no other basis than that a certain sanctity is attached to the day called Sunday. Such enactments, then, fall into the line of religious legislation, which was the bane of earlier centuries.

"The initiative was invoked also in the

"Then suppose that some one becomes convinced that he should observe Saturday, the seventh day of the week, as his Maker has commanded, but resides so far from a church of that religious persuasion that no opportunity has been presented for him to unite in fellowship with said society, is he then exempt from penalty on account of his religious convictions? — No, indeed! To be exempt from penalty such a law would actually demand that he join the church of his own religious persuasion. To unite with some other religious faith would be no barrier to his conviction for misdemeanor, but he must unite with a church of his own particular religious faith. This approaches very nearly to a union of church and state, to say the least. A Sunday law may be made constitutional, but this one, it must be conceded, is not such. It may, however, be made so by adding one more exemption to the numerous ones now found in it, and that would be to provide further, that all other persons whose business seems to require, and who feel disposed to do so, use the day as they will.

#### "California no Loser by Present Standard

"In consequence of the past loyalty of California's sons to the principles of equity and justice in government, California is yet without a Sunday law. The State has lost no respect thereby, either; for she has as many church steeples pointing skyward, and as many worshipers in her churches, in proportion to her inhabitants, as any other State in the American Union. It is libel upon the good morals of California's citizens to call them *pagans*, as has been done publicly by Sunday-

law advocates, because they have not consented to oblige themselves to do that which is already their privilege to do, or not to do, as best pleases them.

"There can be no doubt, in thoughtful minds, that the real reason why the representatives of the people at California's capitol have refused to enact Sunday-rest laws, has been because their long connection with public affairs, and their consequent knowledge of human tendencies, made them fearful of social ruptures which would result in sectarian hatred and vicious retaliations. They evidently studied the problem from all sides, and concluded that the safest guide to social harmony was to put into statute law no cause of religious contention, in neighborhoods now in comparative peace and good-fellowship.

"California, therefore, is no loser by reason of the absence of compulsory Sunday rest. Her numerous church steeples pointing to final rest, and her thousands of sincere worshipers, testify to abundant civil and religious loyalty, which could not possibly be enhanced by the passage of such a measure as the one here considered. It pays to let well enough alone.

"The immortal words of Patrick Henry are applicable in a consideration of this kind. Said he, 'God has given America to be free. In the name of the One who made you, the Saviour who redeemed you, in the name of the millions whose very breath is now hushed as in intense expectation, they look up to you for the precious words, *You are free*.' May the words of this eminent statesman be the watchword and standard of legislative decision in the disposition of this Sunday-rest bill."



## Oregon Legislature Refuses to Enact Sunday Laws After the People Repudiate Them

AFTER the people of Oregon had, by the referendum, repudiated all Sunday laws by more than 32,000 majority at the last general election, Dr. G. L. Tufts endeavored to get the State legislature to recommit itself to Sunday legislation. To this end he had two Sunday bills introduced. A public hearing was granted on these bills February 5. Dr. Tufts; Prof. Carl G. Doney, president of the Willamette University (M. E.); and one lady spoke in favor of Sunday legislation. H. G. Thurston, representing the Seventh-day Adventists; ex-Senator Dan Kellaher; P. C. Hay-

ward, religious liberty secretary of Oregon; J. M. Willoughby, of Portland; W. T. Hume, a former district attorney; and two others spoke against the bills.

We take pleasure in publishing the speech of H. G. Thurston, and noting the fact that the bills were both killed in committee.

#### Telling Arguments

"Mr. Chairman and Members of the Committee:—

"We often hear the plea in defense of Sunday legislation, that it is simply civil legislation and not religious. To call it civil legislation reminds us of the story of the small boy

and his teacher, when she asked him, 'Johnny, if we call a dog's tail a leg, then how many legs has he?' The little fellow promptly replied, 'Four legs, ma'am.' She asked, 'How do you make that out?' The young senator looked up into her face and said, 'Calling a dog's tail a leg does not make it a leg.' It sometimes seems as if those who favor Sunday laws have not quite learned the lesson taught by the little schoolboy.

"In Section 2, number 5, of this bill, we read an exemption which is extended 'to any person who is a member of a religious society which observes some other day than Sunday as its day of worship, and who actually keeps his place of business or occupation closed and does not work for profit or wages upon said day of worship.' The religious character of this bill is unmistakably set forth in these words.

#### Unjust Religious Discrimination

"We deny the right of any man or body of men, under our Constitution, to thus legislate. This bill gives a professed Christian privileges not accorded to a non-Christian; and we oppose this injustice, in the language of the supreme court decision of California upon this very question of Sunday legislation. We quote as follows:—

"'The government has no more power to punish a citizen when he professes no religion than it has when he professes any particular religion.' This grand principle is also found in our federal Constitution, which says, 'No religious test shall ever be required as a qualification to any office or public trust under the United States.' And lastly, we quote the Man of Calvary, who said, 'If any man hear my words, and believe not, I judge him not: for I came not to judge the world, but to save the world;' and again, 'Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's.'

"If Christ would not judge a man who believed not, how dare we set up a religious standard, and proceed to judge and punish the man who does not believe? The severe penalties of this bill fall upon the head of the non-Christian. As Christ taught that we owe some duties to earthly governments,—tax, etc.,—so he also taught that we owe some things to God. Christ taught us that the 'Son of man is Lord also of the Sabbath,' and if this is true, then we owe it to him and not to Caesar—the civil government. The State of Oregon is not 'lord of the Sabbath,' and if not, it can never justly require its observance by even the least of its citizens. 'Our government is a civil and not a religious institution,' and the fact is . . . that the power to make the law rests in the legislative control over things temporal and not over things spiritual.' These last words are from Su-

preme Justice Thurman of Ohio. Therefore, upon the authority of the Supreme Judge of the universe, whose grand and lofty principles are today recognized by supreme judges of this great nation and by millions of our best citizens, we here stand in defense of the rights of that man who makes no profession of any religion.

"We affirm that he has the same inalienable rights that Christians have; and to us it does seem a pity that some who claim to be true followers of the lowly Nazarene set such a poor, unworthy example when they seek civil power to enact a religious standard, and then punish those who do not conform to it.

#### Freedom of Choice in Religion

"Washington, Madison, Jefferson, Benjamin Franklin, and other noble Fathers of this mighty nation were clear cut in their views of a man's freedom of choice in matters religious. Their teachings forbid forever legislation like this under consideration.

"The great men who founded our republic did not found it 'in any sense upon the Christian religion.' It was not founded upon any religion. It proclaimed 'liberty throughout all the land,' guaranteeing to every man his right to choose what religion, if any, he might adopt as his own. So long as he conducts himself as a good citizen, he cannot, of right, be interfered with in the least in religious matters. The government is to know no difference in its protection between the man who professes no religion and the religious man. In this respect our nation is far in advance of other civilized nations where exists a union of church and state.

#### Swapping Spiritual Weapons for Carnal

"The Son of God gave his word and the power of the Holy Spirit to carry forward his work among men. With these weapons his church has been successful. The greatest hindrance that ever came to the gospel was when misguided men sought some alliance with earthly governments by securing religious enactments, and using carnal weapons to defend the gospel.

"This proposed legislation is wrong. It is against the highest interests of this State. It is bad for every religious organization and for every individual as well. God says, whosoever will may come, and leaves every man to choose for himself; and every effort on the part of the state to erect a religious standard, is but a usurpation of authority. The persecution of the past nineteen hundred years has been the result of the cruel effort to establish religious standards by civil law. Let the state keep to its work, which is only that of protecting men in their rights, civil and religious. Let the church do her work with the spiritual weapons furnished her by Heaven.



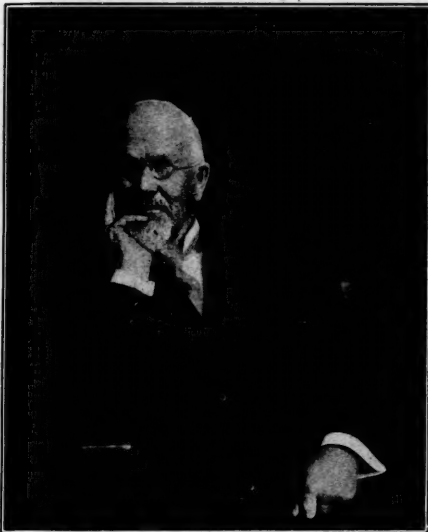
She persuades men only, and needs no civil enactments for her support. Christ Jesus said his 'kingdom is not of this world.'

"I am a religious man, and believe in keeping the supreme law, which says, 'The seventh day is the Sabbath of the Lord thy God;' but we deny the right of any government to enact a law enforcing its observance, or the observance of any other day, or any other religious institution.

"In requiring the observance of one day of rest the state enters a realm forbidden by the all-wise Creator, who ordained civil governments to direct in things earthly.

#### Treats Citizens as Incompetents

"Is it necessary to enforce a period of weekly rest by civil law? We reply in the



PASTOR J. O. CORLISS

A Pacific Coast champion of religious liberty

language of the supreme court of California, which rendered a decision regarding this very point: 'If we cannot trust free agents to regulate their own labor, its times and quantity, it is difficult to trust them to make their own contracts. If the legislature could prescribe the days of rest for them, it would seem that the same power could prescribe the hours to work, rest, and eat.'

#### Pagan Origin and Conception

"Regarding the nature of Sunday legislation, we will here quote from the learned chief justice of the supreme court of North Carolina, who recently handed down a decision involving the very subject before us:

'All Sunday legislation is the product of pagan Rome. . . . The first Sunday law, the edict of the emperor Constantine, was the product of that pagan conception developed by the Romans which made religion a part of the state. . . . It is incorrect to say that Christianity is a part of the common law of the land, however it may be in England, where there is a union of church and state, which is forbidden here.'

"By their vote in 1914, the people of Oregon spoke upon the subject of a universal eight-hour law. They said: 'We want no one to dictate to us, or limit our hours of labor.'

"In 1916 the citizens of Oregon spoke again. This time they said: 'We want no one to tell us what day or days we must labor, and when we must rest.' The large majorities made their voice very emphatic, and that mighty voice has scarcely died away.

"Will you, Mr. Chairman, and your noble colleagues in this legislature, listen to the clear, unmistakable voice of the people of Oregon? We feel confident you will."

Whenever people and legislators are made intelligent upon this subject and are apprised of the dangers involved, they refuse to commit the country to further religious legislation, and frequently decree the State a divorcement from religious entanglements, as has been done in Oregon and California, which States have wiped all Sunday laws from their statute books by popular vote.

C. S. L.

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#### Is This True?

THE *Pilot* (Roman Catholic, Boston) says that "a good Catholic must inevitably be a desirable citizen. His church teaches him to render to Cæsar the things that are Cæsar's, and to God the things that are God's."

But is this true? It is not true as Protestants understand these terms. The trouble is that the Roman Catholic theory of government is that the church is supreme in all things. Rome holds that the state should and of right ought to be subordinate to the church; that when this is not the case, the Pope has the right and power to release citizens from their obligations to civil rulers. Thus while many Roman Catholics, probably a large majority, are good citizens, they



are such, not because they are Roman Catholics, but in spite of that fact. They are good citizens, it may be, because an issue does not arise that makes it necessary for them to make choice between allegiance to the Pope of Rome and allegiance to the government of the United States. There are also Catholics who say that they take their religion from Rome, but not their politics; but within the meaning of the term as understood by their own church, they are not good Catholics, though they are good citizens. To be a good Catholic one must believe that the Pope is the Vicar of Christ, and must obey him in all things as fully as

one would obey Christ if he were here upon earth. The trouble is that the Pope is only a man, and does not do as Christ did when upon earth. Christ refused to take any hand in civil affairs, saying to one who appealed to him, "Man, who made me a judge or a divider over you?" If the Pope and his hierarchy would eschew politics and give themselves wholly to spiritual matters, then indeed might all Catholics be good citizens. The same is true also of those Protestants who assume to speak for the divine Being and who demand that the government shall be run in the interests of their propaganda.

C. P. B.

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## Supreme Court Justice in North Dakota Declares Sunday Laws "an Outrage" and "Ridiculous"

THE Bismarck *Tribune* of North Dakota gives an interesting account of a Sunday law crusade which was inaugurated recently by Atty.-Gen. William Langer. An old, musty blue law was invoked, with Puritan rigidity, all over the State of North Dakota. The editor of the *Tribune* says, under the editorial heading, "A Puritan Sunday:" "The capital city of Bismarck never saw a 'tighter' Sunday." The editor then continues:—

"Probably, as never before, the lawmakers witnessed the actual operation of the blue laws. At times it was hard to get a postage stamp, and even taxis were reluctant to serve their patrons. Groups gathered on the street corners, evidently surprised to learn that there were laws on the statute books that man had made, which could make Bismarck as tight as Plymouth, Mass., was in the colonial days, when they executed a cat on Monday for killing a rat on Sunday, and stopped bear baiting, not because it hurt the bear, but because it gave pleasure to the spectators.

"The time has come for North Dakota to be honest with herself. These laws are on the statute books. If they were not put there to be enforced, the remedy is at hand. . . . The individual conscience must decide the moral issues involved in Sunday observance. Legislation never can induce a state of morality. Spasmodic waves of law enforcement

come over the communities. It is very likely that North Dakota, as other States, will do the conventional thing,—retain the blue laws as a sop to our consciences, and proceed to break them with a frailty that is human. 'Twas ever thus!"

### Supreme Court Justice Nullifies Law

The following news item is taken from the same paper; under date of January 8:—

"Declaring North Dakota's Sunday-closing statutes a direct descendant of the old blue laws of the historic Massachusetts Bay Colony, an outrage which should be tolerated by no free-born citizenry, Associate Justice James E. Robinson of the North Dakota Supreme Court, filed Bismarck's first Sunday lid with the following order:—

### "SUPREME COURT "STATE OF NORTH DAKOTA

"To the Sheriff and Police of the City of Bismarck:—

"You are hereby directed to allow all business places and drug stores, news stands, to remain open in the usual manner as on other Sundays.

"[Signed] JAMES E. ROBINSON,  
"Judge of the Supreme Court."

"This is a terrible situation—an outrage," declared the venerable jurist in communicating with the peace officers, "it should not be tolerated another moment. I command you in the

name of the supreme court of North Dakota to advise these storekeepers of their right to keep open. The law is no good—it is an outrage—it is ridiculous.”

#### Leave State to Get Journals

The Minneapolis *Journal* of January 23 throws a side light upon the situation, under a news article entitled, “Dakotans Rage as Sunday Blue Law Lid is Clamped On”—“Enforcement of Forgotten Statutes”—“All Work Stops, Amusements under Ban, Can’t Even Buy Bread or Newspapers.”

The news article inserted the following advertisement of one of the *Journal’s* agents:—

#### The Minneapolis Sunday Journal

Will Be on Sale

Tomorrow, Sunday — Jan. 21st

At East End of Wagon Bridge

A. Lindenberg, Agent

The news article continues:—

“With stores at Wahpeton, N. Dak., closed by the enforcement of blue laws, a Minneapolis *Journal* dealer posted this sign all over town, and distributed the Sunday paper from a station at the east end of the wagon bridge, which is in Breckenridge, Minn.”

The climax came when Judge Robinson started for the news stand to claim a copy of his Sunday newspaper. A cold and unresponsive door confronted him. He returned to his office and called up Chief of Police Downing on the telephone, and informed him that the Sunday law was null and void and should not be enforced. Chief Downing demurred because he had orders from Attorney-General Langer to enforce the law.

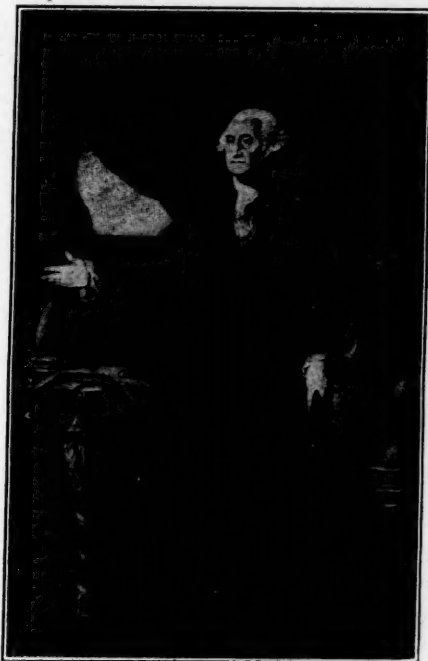
#### Outranks Langer

“But I am of the supreme court. I outrank the attorney-general, and I command you to direct these business places to open, as I have instructed.”

Chief Downing was still unmoved, and “then Judge Robinson indited a written order by the authority of the supreme

court which promises to stand as a historic precedent.”

“The supreme court has power to issue orders at any time,” declared Judge Robinson in response to a question. “The fact of my order having been issued on Sunday does not affect its valid-



GEORGE WASHINGTON

In his day a friend of religious liberty

ity. This is not a civil action, but one affecting the peace and safety of the commonwealth.”

“What is the matter with the law?” the jurist was asked.

“The law is no good. It is ridiculous and outrageous,” replied the jurist. “The attorney-general had no right to issue such orders and subject every one to inconvenience. No supreme court will ever uphold that law.”

#### Clergyman and Jurist in Conflict

The Rev. William Gaines, of Jamestown, N. Dak., took Judge Robinson to task for his attitude of opposition to the sale on Sunday of cigars, newspapers,

etc. According to the report of the *Jamestown Daily Alert* of January 16, Judge Robinson replied to the clergyman as follows:—

*"Rev. William Gaines, Jamestown, N. Dak.*

"DEAR SIR: I have yours concerning the Sunday blue law, which I hold to be no law at all. It is clearly contrary to the Constitution and the first principles of natural right and justice. It is a remnant of religious or clerical bigotry and intolerance, for which the clergy and lawyers are in a way responsible.

"According to the pretended law, it is a sin and a crime for a person on the first day of the week to buy or sell fruit, candy, cigars, newspapers, or magazines; or to go to innocent places of amusement. On one side of the meridian line the doing of a thing is a sin and a crime, and on the other side of the line it is neither sin nor crime. By our greatest jurists, such laws have been denounced, and yet held valid. . . .

"I care little for my office, only so far as it puts me in a position to maintain the right and to denounce the wrong. I hope the people did not elect me, by a great majority, to come here and act the part of a coward or a dummy. And now, sir, let me ask you a few questions:—

"Do you know that God made the heavens and the earth, and rested only when his work was done; and that the time for a man to rest is when he has done his work, or when he is tired?

"Do you know there is a class of men who never earn their bread by the sweat of their brow; who never do an honest day's work, and who live on the labor of others; and for that reason they grow narrow-minded and illiberal?

"Do you know that under the constitution of the State every man has a right to live and prosper and to pursue and obtain safety and happiness?

"Do you know that the Sabbath was made for man, and not man for the Sabbath, and that it is lawful to do good, and to pull an ox or an ass out of a ditch, and to pass the contribution box, on the Sabbath day?

"Do you know that the intolerance and standpointism of those who live on the labor of others has been the great curse of humanity; that it has made countless thousands mourn; and that it is all contrary to the humane teachings of the One who is Lord even of the Sabbath day?

"[Signed] JAMES E. ROBINSON,  
"Justice of Supreme Court."

#### **The North Dakota Enforcement League**

The North Dakota Enforcement League showed its hand when it learned

that this Sunday law crusade was bringing discredit upon the movement, and was developing an opposition movement which threatens to repeal all the Sunday laws of North Dakota during the present session of the legislature. This Enforcement League is composed of "one thousand ministers and churches," and it issued a statement or threat that if the Sunday laws were repealed "by the farmer legislators," it would "turn one thousand ministers and churches and the moral forces of the State against them."

#### **Religious Boycott**

The facts developed in this Sunday law crusade show clearly that the whole movement is a religious propaganda concerning a religious institution, which threatens not only the highest court of the State, but the highest lawmaking body with a political boycott, if its religious pet is eliminated from the statutes of the State. What more evidence is needed to prove that Sunday laws are religious legislation? Lincoln said that you can fool some people all the time, and all the people some of the time, but you cannot fool all the people all of the time. 'Tis even so.

C. S. L.

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#### **A Confession of Weakness**

MADAME DE STAEL was correct when she declared that the liberty of thought that characterizes the last days of an absolutism is evidence, not of tolerance, but of weakness. In nothing was this weakness more apparent than in the attempts made to limit the freedom of the press. Few works of any importance failed to bring their authors into trouble.

"An author or a bookseller was forced to be as careful as a kidnaper of coolies or the captain of a slaver would be in our own time. He had to steer clear of the court, of the parliament, of Jansenists, of Jesuits, of the mistresses of the king and the minister, of the friends of the mistresses, and above all, of that organized hierarchy of ignorance and op-

pression in all times and places when they raise their masked heads—the bishops and ecclesiastics of every sort and condition.”

The Parliament of Paris and the other sovereign courts, the courts of the Châtelet, even an ordinary tribunal of justice, had the right to burn publicly any writing judged to be contrary to religion, morals, or the state, and nearly every great work of the eighteenth century shared this fate. The arrest of the authors, printers, dealers, as well as the confiscation of all discoverable copies, followed whenever possible, and there were few famous French authors in the

century who did not taste the bitterness of the Bastille or of exile.

It is this fact that gives a certain moral worth to even the worst of the literature of the period. If men wrote recklessly, they also wrote bravely. In the case of the philosophers this must excuse much exaggerated misunderstanding of religion and morals. They were in earnest, and they were in danger, and in some strange way one is thus forced to give Voltaire and Diderot, D'Alembert, and Rousseau, some of the credit we give the martyrs of the church they attacked.—“*The French Revolution*,” Shailer Mathews, pp. 70-72, ed. 1911.



## Asking the State to Enforce a Church Creed A Vigorous Protest Needed

THE Lord's Day Alliance now admits that they are endeavoring to enforce a church creed and religion through civil legislation. We surmised that this was their motive in advocating compulsory Sunday observance, but they always asserted that their aims were purely civil and not religious. Now, however, they frankly admit that they are seeking Sunday legislation to enforce a church creed and to protect Sunday as a religious institution. John McDowell, D. D., in the *Lord's Day Leader*, Vol. I, No. 3, says:—

“The attitude of the church on the Sunday-rest question is manifested not only in its creed, but also in the actual work it is doing to put its creed into practice. The church has organized Sunday-rest organizations in nearly every country of the world. Through the Lord's Day Alliance of the United States and the various State and district associations the church does a twofold work in the interest of Sunday rest.”

According to Mr. McDowell, the church, first of all, seeks to prevent the creed from being legally nullified, as he puts it, by “legislation which threatens the interest of Sunday rest;” and secondly, he asserts, “the church seeks also

to enforce the Sunday laws for the protection of the day.”

We have frequently asserted that the object of every Sunday law is to protect the *day* and to enforce a church dogma. If a rest law were designed to protect the welfare of the individual and afford opportunity to recuperate his natural powers, it should compel him to rest at night each day of every week, instead of only once a week, and that on Sunday. Nature's appointed season for rest is at night, not in the daytime. Christ and his apostles were not less active on the Sabbath than on other days. The Sabbath day was never ordained to be spent in idleness. One of the great sins of Sodom was idleness. The only possible basis of a Sunday law is religion, and a false notion of religion at that. Physical idleness on the Sabbath day is not Christ's view of the proper observance of the day, but the self-righteous Pharisee's notion. Christ said it was lawful to do well on the Sabbath, and to make the day a spiritual delight instead of a burden.

Another thing which we knew all the time, and which Dr. McDowell now admits to be the fact, but which has often

been denied, is that the Lord's Day Alliance and all other Sunday-rest societies in the various States and districts are associations which "the church has organized." They are purely "religious auxiliaries of the church," operating in the interests of the church. These churches and religious organizations claim that they do not believe in a union of church and state. But when the church organizes its members into societies for the purpose of promoting the interests of the church and of religion, and these church auxiliaries in turn form a disguised coalition or coöperative combine with parties and factions to elect or defeat public officials, as they claim to do, and to secure the passage of Sunday laws and other religious measures by their direct and combined influence in politics, it is just as much a union of church and state as if the church did it

openly. To accomplish their object under cover and disguise does not alter the facts. To give the church organization some other name does not transform its religious measures into civil enactments when they are legalized by the state upon demand of the church. Such movements on the part of the churches are sinister and dangerous, and do not speak well for the future tranquillity of our country.

Mighty religious combinations whose purpose is to crush the dissenting minority through civil enactments are even more dangerous than the most formidable intrigues of financial trusts with State governments, seeking the overthrow of the rights of the common people. It is time that a voice of protest be raised against this growing tendency in free America, or our boasted freedom will soon be an empty theory instead of a beneficent fact.

C. S. L.

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## Sunday Laws and the Police Powers

JANUARY 29, of the present year of grace, the Pastors' Federation of Washington launched another movement to secure the enactment by Congress of a Sunday law for the District of Columbia. The occasion was the regular Monday meeting of the federation, and the place, the Y. M. C. A. building. The *Times* of that same evening tells the story thus:—

"Following an address by Attorney W. W. Millan on 'Some Legal Aspects of Sunday,' a committee was appointed to investigate the subject of the observance of the Sabbath in the national capital, and make recommendations to the federation. The committee is composed of the Rev. Wallace Radcliffe, the Rev. G. G. Johnson, and the Rev. C. H. Butler.

### Would Have Congress Act

"In his address Attorney Millan called attention to the fact that the commissioners had drafted a police regulation permitting moving picture shows and concerts in which the performers cannot appear in costumes on Sunday. He said, 'These exemptions are not in the interest of Sunday observance, but rather for the opposite purpose.' The speaker declared the police regulation prohibited dog shows

and circuses, and that if the commissioners had been so minded, they could have included moving picture shows and concerts.

"Attorney Millan said that while the commissioners had the right under their police powers to prohibit 'everything that is not promotive of the comfort, health, peace, prosperity, morality, and general welfare of the residents of Washington,' it was advisable that Congress be called upon to pass a specific act dealing with Sunday observance in Washington.

### Powers Called Inadequate

"A bill with this end in view has been pending in Congress for two years, he said.

"He suggested that Congress, rather than the commissioners, deal with the subject, 'so that the Sunday laws may be exact, that there may be no evasion, and that there may be no undoing.'

"The power to make police regulations, now vested in the commissioners, and an act passed by the Maryland Legislature in 1723, bequeathed to the District when the territory was ceded to the federal government, are the regulatory means at hand today, the attorney said. He declared these were inadequate to compel the proper observance of the Sabbath in Washington."



At this writing (January 30), no one can tell for certain what the Sixty-fourth Congress will do touching this question before final adjournment on March 4. But it is highly probable that it will do nothing. It is a foregone conclusion, however, that the assaults of the Sunday-



COL. RICHARD M. JOHNSON

Author of the famous Sunday Mail Report, which declared that Congress had no Constitutional power to enact a Sunday law.

law advocates upon the liberties of the people will be renewed very early in the life of the Sixty-fifth Congress.

But be that as it may, there are two points of deepest interest in the report of the meeting of the Pastors' Federation, quoted from the *Times*. The first of these is "rights," or power, of the District Commissioners "under their police powers;" and the other is the fact that this so-called power is derived from "an act passed by the Maryland Legislature in 1723, bequeathed to the District," as Attorney Millan says, "when the territory was ceded to the federal government."

And just now it occurs to us that the second point—the source of the powers of the District Commissioners—should be considered first, inasmuch as a good many things have happened, and considerable progress has been made along certain lines, since the year 1723. Let us

see; that was nearly two centuries, or, to be exact, one hundred and ninety-four years ago. It was fifty-three years before the signing of the Declaration of Independence, and sixty-four years prior to the meeting of the convention that framed our federal Constitution, a document which is supposed by some to have superseded, for the District of Columbia at least, the English charter under which the colonial legislature of Maryland was operating in 1723.

'Tis passing strange, from one standpoint, how naturally the Sunday-law advocates hark back to colonial days, to colonial charters, to the legislation of 29 Charles II, etc., to find a legal basis for the enforcement of Sunday "rest" upon other people. Do they not realize that two wars were fought by our forefathers to get away from all that sort of thing, and to establish the right of the American people to frame their own constitutions and to make their own laws? They do not seem to think of this; but the rank and file of the people have not forgotten it, nor are they likely to forget what it cost their forbears to secure the liberties we now enjoy. Is the Constitution of the United States too liberal for the Sunday-law advocates, that they must needs appeal for their authority to the legislation of the first quarter of the eighteenth century? It certainly seems so.

#### What Is "Police Power"?

The first point has to do with the police power. What is the police power? Referring to an authority familiar to all, and convenient for reference (the *New Standard Dictionary*), we find that the "police power" is "the power of the state, through all its agencies, both general and local, to preserve order, regulate intercourse between citizens, and insure to each the lawful enjoyment of his rights. It embraces, in its most comprehensive sense, the whole system of internal regulation, and extends to the protection of the lives, limbs, health, comfort, and quiet of all persons, and the protection of all property within the state."

This is a comprehensive, common sense definition of the term "the police power." It will be observed that instead of being something above the law, it is the law itself in action; but in this country all statutory law is limited by written constitutions, and in the District of Columbia all law must be in harmony with the Constitution of the United States, not with the colonial charters and laws of nearly two centuries ago.

Attorney Millan is quoted as declaring that the powers derived by inheritance from Maryland are "inadequate to compel the proper observance of the Sabbath in Washington." Mr. Millan seems to think, however, that Congress could, if it would, supply this lack. But what says the First Amendment to the federal Constitution:—

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

How then can even Congress "compel the proper observance of the Sabbath"? Does not the whole thing show upon its face that what the Pastors' Federation is seeking is the legal enforcement of a

religious institution? This is certainly true, however they may seek to disguise and keep out of sight their real design.

We hold no brief for picture shows, theaters, etc.; but on what grounds, aside from religious obligation, can anybody be prohibited from preferring the picture show or the theater to the church on Sunday if he so elects? Aside from illustrated lectures and pictures on special subjects of an educational character, the writer never goes to picture shows; but what right has anybody to forbid the showing of any picture on Sunday that might be properly exhibited upon any other day? Can any reason be assigned, except the religious character of the day? And where can the District Commissioners, or even Congress, find any legal authority for either forbidding or requiring anything of anybody for religious reasons?

The trouble seems to be that the members of the Pastors' Federation want a monopoly of Sunday, and right or wrong, they want somebody to give it to them. As yet, their success is problematical.

C. P. R.

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## Compulsory Sunday Rest Begets Immorality

WE have always contended that compulsory Sunday rest, or idleness, is a curse to society. Enforced idleness is a curse on any day. Irreligious and evil-minded people are less dangerous to society and the state when engaged in legitimate occupations than when they have time on their hands and do not know how to employ it. One of the great sins of Sodom was idleness, according to the Sacred Record.

Yet some so-called reformers have an idea that Christianity will fall into decay and the state into decrepitude unless everybody, irrespective of faith or moral standards, is compelled to observe Sunday by absolute quietness and cessation from ordinary activities. They think that if men are idle on Sunday, Chris-

tianity will live and the state will survive. They do not stop to investigate the results of such a course. A mere conformity to a legal acknowledgment of a church creed is to them the sum total of all good, no matter what the resultant evils may be.

The *Christian Herald* of February 14 gives an interesting report concerning conditions in Japan which justify our opposition to compulsory Sunday idleness. It publishes the following report of Dr. Soyeda, president of the Imperial Railway Board:—

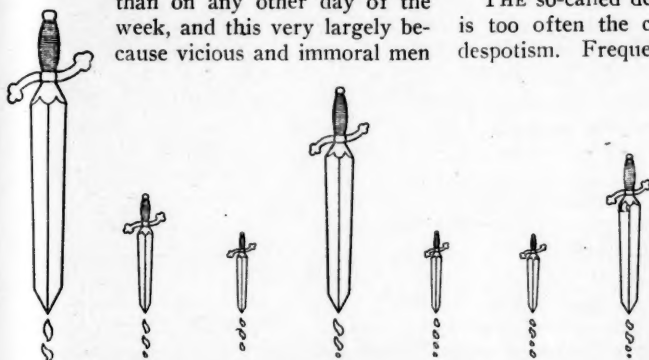
"Most Japanese dream away their lives day after day. Some of them work hard on week days, only for the purpose of enjoying themselves on Sundays. That is all very well in its way; but unfortunately, their way of spending their Sundays is absolutely wrong.

Their pleasures consist only in gratifying animal passions, with the result that they injure their health on Sundays instead of strengthening it. More men are absent from their offices and factories on Mondays than on other week days."

The *Christian Herald* comments on the above as follows:—

"Hard labor conditions are the hope of Japan. With an eight-hour day, Japan would debauch herself into an early grave. The festival and the holiday are the days of vice."

This is true, not only of Japan, but to a large extent also of our own country. More crime—robbery, rape, debauchery, and murder—is committed on Sunday than on any other day of the week, and this very largely because vicious and immoral men



SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

and women are forced into idleness by our Sunday laws. The accompanying diagram shows the comparative amount of murders and assassinations for each day of the week in America. The police and court records show that Sunday is the most productive day of all the week for a harvest of crime. The country which has the strictest Sunday laws is highest on the record of crimes of all sorts, and illegitimacy.

The Sabbath day is a divine institution, and can be observed acceptably only by real Christians and as a freewill act emanating from the heart. The Lord made the nighttime for man's physical needs and welfare, and if the state were consistent with its pretense of legislating for man's physical need of rest, it would compel him to go to bed at a certain

hour each night and remain there till morning, instead of forcing him to be idle only on Sundays.

The whole question of enforced Sunday rest is a farce, and does not tend to conserve the health and energies of the great majority of the people, too many of whom are without high moral ideals. Christianity flourishes and progresses most when it stands on its own foundation without legal props. C. S. L.

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### For the Defense of "Good Morals"

THE so-called defense of good morals is too often the covert justification of despotism. Frequently those who would safeguard the morals of the public have none of their own worth safeguarding. This paragraph from page 76 of "The French Revolution," by Shailer Mathews, is apropos of the subject:

"The succession of wars in which France became involved during the second quarter of the eighteenth century quieted domestic disputes, but at each lull in the military storm the effort of Fleury to crush the Jansenist party was renewed, but always with an increase of opposition on the part of the Parliament of Paris. The reverses of the French arms in the wars of the Austrian succession were not sufficient to arouse Louis XV to the necessity of political reform, and the state remained under the astonishing leadership of the king's mistresses and Cardinal Fleury. Thought grew more restrained, and in 1742 an order of the council destroyed the liberty of the press, and made it a crime to have in one's possession books 'injurious to good morals.'"

The trouble was that Jansenists were exposing the rottenness of the French church and of French "high life," and ultramontanes and the court party wanted to silence them. C. P. B.

## What Constitutes a Union of Church and State

LET it never be forgotten that a union of church and state does not necessarily mean the union of the state with a single denomination. It does not necessarily mean the adoption of the Roman Catholic theory of a single church (the Roman Catholic) dominating the state, nor must it mean the English or Russian theory of a single church dominated by the state. It may mean, and in this country it does mean, the state dominated in the interests of one or more sects, or of one or more religions which may be represented by a single sect or by a number of sects.

This is recognized by the language of the First Amendment to the national Constitution:—

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

This was purposely made as broad as possible in order to prevent all religious legislation by Congress. It makes legally impossible the realization in this country, not only of the Roman Catholic ideal,—a state dominated by that church,—but it forbids likewise the adoption of the English or Russian ideal, a church or churches dominated by the state. Yea, it goes farther, and forbids all legislation that would in any way hinder the free exercise of religion,—any religion, true or false, Protestant or papal, Christian or pagan.

The *Christian Statesman* and its editors know this, and urge this view of the meaning of the term "church and state" when it serves their purpose so to do. In its issue for January, 1916, Mr. James Martin, managing editor of that magazine, had an article in which he quoted approvingly, yea, in which he offered as authority, this excerpt from a report by the United States Senate Committee on Privileges and Elections, submitted to the Senate, June 11, 1906:—

"The fact that the adherents of the Mormon Church hold the balance of power in politics in some of the States enables the first presi-

dent and twelve apostles to control the political affairs of those States to any extent they may desire. Thus a complete union of church and state is formed."

We are not in favor of Mormonism, and hold no brief for it in any of its features, neither do we fear it as a power to be reckoned with other than locally. It can never become nationally dominant. But if the facts are correctly stated in the foregoing excerpt, if the adherents of the Mormon Church do hold the balance of power in certain States, and if the elections are controlled in those States by the hierarchy of that church, then, for all practical purposes, in those States thus controlled and dominated "a complete union of church and state is formed."

In an editorial article in the *Christian Statesman* for January, 1917, entitled "The Logical Basis of the Christian Amendment," the editor, Rev. Dr. Wylie, LL. D., describes that form of church and state in which "the church is the superior body and controls the state," and says, "This is the theory of the Roman Catholic hierarchy and also of Mormonism." Now if the domination of the civil affairs of a small group of States by Mormons constitutes a practical union of church and state, would it be any less such a union if Mormons and Roman Catholics were to unite in exercising such control of those States in the interests of some dogma, practice, institution, or form of worship common to both churches?—Certainly not; if any difference, the situation would be worse, because with the stronger combination—two strong bodies united in that thing—the case would be the more hopeless.

But that is exactly what the *Christian Statesman* is trying to do, not only with two sects of Christians, but with many such sects; namely, to unite them, not in an organic union, but in a common movement to dominate the politics, not of a small group of States merely, but of all the States, in the interests of the



dogmas, institutions, and usages held, revered, and practiced in common by all the sects, including both Mormons and Roman Catholics.

But the *Statesman* has the hardihood to deny that while by the domination of a small group of States by a single sect, "a union of church and state is formed,"

such a union would be formed in the case of the domination of the whole nation by a working movement of a mighty combination of denominational forces. Apparently the *Statesman* finds it impossible to be consistent in its advocacy of National Reform and its opposition to Mormonism.

C. P. B.

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## Iowa Legislature "Refuses to Make Blue Laws Bluer"

THE Iowa Legislature had one Sunday bill introduced into the senate and another into the house of representatives at the instigation of religious organizations whose purpose it was "to make the blue laws bluer," as the *Des Moines Register* expressed it. Both bills greatly increased the penalties for Sunday law violations. This increase of penalties as a punishment for refusing to observe Sunday is an attempt on the part of religious organizations that recently passed resolutions to this effect, in order, as they stated, "to bring Seventh-day Adventists to time and strike terror into them."

These religious organizations, such as the Federal Council of the Churches and the Lord's Day Alliance, are employing sinister methods to accomplish their ends. They are affiliating with secular organizations, such as the Federation of Labor, labor unions, merchants and retail associations, barbers' unions, etc., and are using them as a blind pig, or as a cat's paw to introduce these Sunday bills into the legislatures and get what they cannot get openly for themselves.

The Iowa Senate and House of Representatives defeated both these Sunday bills. The *Des Moines Register* of January 20 states:—

"Quotations of the Scriptures by the Rev. Wm. Ostrander, of Des Moines, Seventh-day Adventist, assisted in the defeat of a bill drawn by Attorney-General Havner for increasing the penalty for violation of the blue laws, considered before the senate judiciary committee. It will be reported to the senate for indefinite postponement."

Not satisfied with their defeat before the senate, these religious organizations tried the same game before the house. The *Des Moines Register* of January 30 gives the following account of its defeat before the judiciary committee of the house:—

"The passage of Attorney-General Havner's bill increasing the penalty for violation of the blue laws would place a civil club in the hands of religious bigots," declared Rev. Wm. Ostrander, of Des Moines, Seventh-day Adventist, in urging the annihilation of the measure before the house judiciary committee. Reverend Ostrander branded all Sunday legislation as a menace. "This statute will not make a man go to church," he said. "You cannot legislate a man into being a Christian."

"No, but you can make him be good," said a committee member.

"No, you cannot make him be good," replied the Adventist. "You can only make him act as if he were good."

"Reverend Ostrander quoted: 'Render . . . unto Cæsar the things that are Cæsar's; and unto God the things that are God's.'"

"To whom does the Sabbath day belong—to God or to Cæsar?" Rev. Ostrander was asked by a committee member.

"It belongs to God; you ought to know that," was the reply.

The bill was killed, the same as by the senate committee.

This is simply one of many instances we might report of similar experiences before other legislatures. Whenever the fundamental principles of the separation of church and state are properly set before our legislators, they always refuse to commit our government to further religious legislation. A failure to recog-



nize a distinction between the duties a man owes to God and the duties he owes to his fellow man, has been the primary cause of all religious persecutions in the past. Church doctrines and religious obligations are good in their place, but they can only result in bitter controversies and religious persecutions when we mix them with politics and compulsory requirements enforced upon all cit-

izens by the civil arm of the state. Let us keep religious observances within the pale of our church rituals and disciplines, and let us not ask the state to do what the church is too indolent to do; namely, to enforce its church discipline upon delinquent church members. "Let us keep the church and state forever separate," as said Ulysses S. Grant.

C. S. L.

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## Press Censorship

FORTUNATELY we have in this country a Constitutional provision that "Congress shall make no law . . . abridging the freedom of speech, or of the press." This does not mean that men shall not be held responsible for the abuse of the right to speak or to print and circulate, but that in advance of publication or of utterance, no man can say that another man or set of men shall not put forth by voice, pen, or printed page whatever they will.

As in the matter of guaranties of religious liberty, all the States, so far as the writer is informed, have guaranteed also freedom of speech and of the press, so that everywhere in this broad land of ours men may freely express and defend their views, being responsible only for any abuse of the right, the fact of that abuse to be determined by a jury of their peers.

But repeated efforts have been made to render nugatory the freedom of the press. One such notable effort was made some years since when Mr. Roosevelt was President. Certain newspapers in New York and Indianapolis published strictures upon the government or upon certain departmental heads, which were regarded by the aggrieved parties as criminally libelous. Mr. Roosevelt was indignant, and instructed the Attorney-General to secure indictments for criminal libel against the offending publishers.

This was done, but instead of secur-

ing in Indianapolis, where the crime was committed, if crime there was, the indictments were secured in the District of Columbia because, forsooth, copies of the papers containing the offensive matter had been sent through the mails and had been circulated in the District, and it was claimed that the circulation of each copy of the paper was a separate offense affording ground for a separate prosecution wherever the paper was sold and read.

Warrants were issued in the District of Columbia for the arrest of the Indiana and New York publishers, and were served in Indianapolis and New York City. But as soon as they were arrested, the accused men sued out writs of habeas corpus before local judges who held that the proceedings were illegal, and that if a crime had been committed, it had been committed not in the District of Columbia, but in the jurisdiction in which the paper was published containing the alleged libelous matter, and ordered the discharge of the petitioners.

This is the interpretation uniformly put upon the law by the courts of this country, and it is the correct one. Even as long ago as 1215 Magna Charta provided that "common pleas shall not follow our court [the court of the king], but shall be held in a certain fixed place;" and further, that "assizes of mort d'ancestor, and of darrein presentment shall not be held, save in their own counties."

The principle appears again, only more plainly stated, if possible, in Article VI of the Amendments to the federal Constitution:—

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained [or defined] by law."

But in the case of Hon. Tom Watson, of Georgia, it was seriously threatened by the Attorney-General of the United States, that if a conviction could not be secured in Georgia, he would be indicted and tried in some other State. Not only was Mr. Watson not convicted by a

Georgia jury, but he was declared not guilty. It now remains to be seen whether the Attorney-General will attempt to make good his threat, or whether he will abide by the Constitution and the decisions of some of his own courts. If such an attempt should be made, it would be incumbent upon the American people to rebuke it, if they care to preserve their Constitutional rights and the liberty guaranteed to them and to their children by the fundamental law of the land. Mr. Watson's politics, and his peculiar style of journalism, have nothing to do with the question.

C. P. B.

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## Sunday "Movies"

THE *Pilot* (Roman Catholic) of Dec. 16, 1916, mentioned a movement "to have 'educational movies' on Sundays" in Boston. "We know very well," remarked the *Pilot*, "that if this comes to pass, the Sunday moving picture shows will be just as 'educational' as the vaudeville shows given on Sunday nights as 'sacred concerts.' The movies are bad enough at the present time without having their trail over the Lord's day. How eager the producers are to educate the poor public!"

We may be very dull of comprehension, but we fail to see why the "movies" are worse on Sunday than on other days. There can be only one reason, namely, the real or supposed sacred character of the day; but of that the state has no right to take cognizance. All that the state can legitimately do is to recognize facts as they pertain to the customs of the people. A large majority of the people for some reason or reasons satisfactory to them, do not work at their ordinary callings on Sunday. Taking cognizance of this fact, the state properly enough makes Sunday a *dies non* for all legal matters. Courts do not sit. Elections are not held. Legal papers

are not served. Notes, bills, etc., maturing on Sunday are due and payable on the following Monday. This is not designed as an approval by the state of the claim that Sunday is a sacred day, but only a recognition of the fact that many people so regard it and wish to be free on that day from all secular cares. In like manner and for a similar reason, in some States observers of the seventh day are exempt from summons upon that day, not because the state gives its official approval to the views of these people, but simply because they have the right to rest and worship on that day, and the state declines to interfere with that right.

Now all this is proper enough. In all this the state simply takes cognizance of the customs and wish of the people, and as far as possible, without trenching upon equal rights, undertakes to safeguard as many as possible from unnecessary and useless annoyance on their chosen day of rest.

In this the state does not require anybody who does not regard a day as holy to act in any manner as if he did regard it as sacred and different from other days. To the Sunday keeper who feels

that he must sue the seventh-day observer at the law, the state says, "You may summon your neighbor to answer your suit, but you cannot do it on his rest day." In like manner, it says to the seventh-day observer, "You may set the machinery of the law in motion to compel your Sunday-keeping debtor to pay what is justly due you, but you must not force this business upon him on his rest day." And this we say is right. In so doing, the state is simply protecting the equal rights of all men. To the same end the constitution of Tennessee provides that "in time of peace no man shall be required to render any service to the state on a day set apart by his religion as a day of rest."

All this is as it should be; it affords protection to all alike, and does not trench upon the rights of any. But what shall we say when the state goes a step farther and forbids A to work on any given day simply because B wishes to rest or to worship on that day? There are quiet zones in cities where, because of the presence of hospitals, etc., unnecessary noises are not permitted at any time. There are laws to protect public meetings. There are also special laws for the protection of public worship. All these are for the protection of the citizen. But what shall we say of laws designed primarily for the protection of a day because of its religious character?

Is not the real reason for modern Sunday laws the same as the reason urged for similar statutes in the Middle Ages; namely, that the church might not have to compete with the circus and other similar attractions on Sunday, but that the day might be free from all such things in order that the "faithful" might give themselves unreservedly to the offices of religion?

The writer believes that the "movies" as they exist are far from being on the whole an uplifting force on any day, but he fails to see why they are worse on Sunday than on other days. They may on Sunday catch pennies, nickels, and dimes that would otherwise go to the

church collection or into the Sunday school, but the same is true of the candy store and the soda fountain. Will the *Pilot* take the position that all these should be prohibited on Sunday in the interests of the church? Dr. Crafts virtually asserted this a few years ago, styling the children who spent their money Sunday morning for candy and soda, instead of giving it to the Sunday school, "little embezzlers." But it will scarcely be claimed that the state has any duty in this matter. We are fortunately something like two centuries removed from the tithingman of colonial New England, and few will have the hardihood to advocate a return to the reign of that functionary.

And yet this is just what is involved in the assumption that the moving picture shows ought to be prohibited on Sunday. The writer heartily wishes that there were no demoralizing pictures. So far as he is concerned, he would be glad if all the papers would omit their colored supplements with their miserable attempts to be funny,—attempts that too frequently seek to create a laugh at the expense of something that is good, or that involve deception and even straight-out lying.

"Peck's Bad Boy," so popular a few years ago, was utterly demoralizing in its influence; but who will say that such books ought to be suppressed? The intellectual liberty the world enjoys today has cost too much to be lightly thrown away. A censorship broad enough to reach all the morally and religiously objectionable things would turn us back again toward the Dark Ages. Time was when the choicest literature of the world, including the Scriptures themselves in the vernacular, was under the ban of the censor, and about all the common people were permitted to read was the lives of the saints, etc., a "literature" of no literary merit, and often of questionable moral and spiritual influence; but questionable as it was, we should be turned back to just that sort of thing were we to undertake to censor the reading and

the pictures of the people in the interests of a "broad morality" and of "orthodox" religion.

It is true that the world is today far from being what it ought to be; but if it does not compare favorably with medieval times, when there were no "movies" and no available literature worthy the name, we have read the history of the Middle Ages to little purpose. Certainly we cannot afford to turn backward the hands of the great clock of the centuries in the vain hope of making people good by civil pains and penalties.

C. P. B.

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## The New British Premier a Baptist

### Centuries-old Traditions Shattered

AMONG the many record-breaking revolutions brought about in England by the career of David Lloyd-George, is the fact that he is the first Baptist in all British history to hold the office of prime minister of Great Britain. Until now the premiers have always been members of the established church. True, Sir Henry Campbell-Bannerman was a Presbyterian. But the Presbyterian denomination ranks north of the Tweed as a state church, and therefore he could not be looked upon as a nonconformist.

Dissent was formerly considered a crime which led to the block, rather than to power. The Tudors would have considered it treason to the state to appoint a minister who differed from them in religious belief.

### Had to Belong to Church of England

Under the Stuarts the Test Act was inaugurated, in order to compel all men holding government office to belong to the Church of England. It was because nonconformists were subjected to such bitter persecution in England that so many of them were compelled to immigrate to America, and to found the colonies of New England.

That the new prime minister should be a Baptist is a blow to all traditions; and

the climax was furnished when on Christmas Eve he actually preached the sermon in the Baptist chapel, of Castle Street, London.—*Washington Post*, Jan. 22, 1917.

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## Blue Laws

WHEN a man is a criminal and when he is not is generally a matter of geography. It is as easy to be virtuous in Massachusetts as it is in Oregon, but whether the law recognizes you as such depends entirely upon the particular State where you live. A writer in the *Hartford Courant* passes out a résumé of some of the old New England blue laws, laid down by our forefathers concerning the observance of the Massachusetts Sunday. Any zealous public official, if he wishes to insure himself unpopularity and failure to be reelected, has only to busy himself with some of these old ordinances. Of course, most of them are no longer enforced, yet if they were strictly applied to present-day conditions, and to games and the use of objects invented since the blue-law legislation, we should be forbidden all acts, such as,—

The purchase not only of meat and groceries, but also of milk, bakery products, ice cream, candy, cigars and tobacco, matches, toilet articles, writing papers, magazines, books and stationery, newspapers, camera films, soda water, soda-fountain drinks, gasoline, tires, oils.

Running automobiles either for pleasure or travel.

Repairing automobiles.

Cleaning automobiles or wagons.

Playing golf or caddieing.

Playing tennis or baseball if the games are to be counted in awarding a prize to teams in a league, or to individuals at the end of a series.

Working in one's garden.

Playing baseball or tennis anywhere except in specified public parks in the prescribed hours.

Concerts anywhere except in specified public parks and between the prescribed hours.



Going to the post office to get business mail.

Getting a shine.

Getting a shave.

Riding, driving, or hiring a horse from a livery stable.

Taking a photograph for which a charge is made.

Holding a picnic for which tickets are sold or admission fee charged.

Buying, selling, exposing for sale any property, including newspapers.

Writing for or printing Sunday morning newspapers after midnight, Saturday.

Writing for or printing Monday morning newspapers before midnight, Sunday.

Sprinkling the lawn.

Making ice cream or other unnecessary foods in one's own home.

Giving music lessons.

Conducting band rehearsals.

Working for a lodge or club as secretary, or in any other capacity as an employee.

Hiring a boat or a bathing suit or going in swimming at a public bathing place.

Selling flowers.

Bookkeeping or auditing accounts.

Giving or attending motion picture shows or concerts.

Let any reader who wishes Sunday observed look over this list of "don'ts" and see how many of them he obeys every week.—*The Literary Digest for Sept. 16, 1916, pp. 699-701.*



### Church Seeks Control of Press

THE art of printing can be of great service in so far as it furthers the circulation of useful and tested books; but it can bring about serious evils if it is permitted to widen the influence of pernicious works. It will, therefore, be necessary to maintain full control over the printers so that they may be prevented from bringing into print writings which are antagonistic to the Catholic faith, or which are likely to cause trouble to believers.—*Papal bull "Inter Multiplices," by Pope Alexander VI.*

### The Sabbath

It is the duty of the civil power to protect Christians against disturbance in their Sabbath worship. But the power is intruding into the divine prerogative when it assumes the right to compel the subject to worship God, or to refrain from those pursuits which do not disturb others. The keeping of the Sabbath is eminently a moral duty, and hence it must be a voluntary service rendered under the pressure of moral suaves only.

As the Sabbath is of vast utility in preserving the knowledge and worship of God, and thereby promoting the temporal and spiritual welfare, the present and future happiness, of mankind, it is our duty to make every exertion to prevent its violation, by inculcating those moral principles which underlie its acceptable observance.

At the same time we should avoid an uncharitable condemnation of those who have been educated in Christian countries where Puritanic strictness in regard to the Sabbath does not prevail.—*Binney's "Theological Compend Improved," p. 173.*



### Flood of Sunday Bills

WE were going to enumerate all the Sunday bills and the different States in which these bills have been introduced since the State legislatures opened this winter, but in looking over the list we discovered that nearly every State legislature in the Union has had from three to a dozen Sunday bills introduced. Some are for a stricter observance of the day, some for a more liberal construction of the existing laws, some are for a referendum to the people, and some for repeal. We have already received word from Iowa, Missouri, North Dakota, Oregon, New Hampshire, and Minnesota, in whose legislatures drastic Sunday bills were introduced at the instigation of religious organizations and ministeriums, that these legislatures, after granting hearings, reported adversely upon the bills.

C. S. L.



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